

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JAN MTPIA,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.


**CASE NO. 2:06-cv-408
CRIM. NO. 04-cr-195
JUDGE MARBLEY
MAGISTRATE JUDGE KEMP**

ORDER

On November 6, 2006, petitioner filed a request to withdraw his §2255 petition in view of government's stated intention to file a motion for reduction of sentence pursuant to Rule 35 of the Federal Rules of Criminal Procedure and in consideration of petitioner's continuing to abide by the terms of his plea agreement. *See Motion to Withdraw 2255 Petition; Return of Writ*, at 9 n.1. Petitioner's request to withdraw his §2255 petition is **GRANTED**.

This action is hereby **DISMISSED**.

IT IS SO ORDERED.


ALGENON L. MARBLEY
United States District Judge